



Committee of the Whole Report

Report Number: WM2024-009
Meeting Date: November 5, 2024
Title: WM2024-009 Waste Management By-Law 2016-144 Repeal and Replace
Description: Committee of the Whole Report
Author and Title: Bonnie Ferguson, Waste Technician II

Recommendation(s):

That Report WM2024-009, **Waste Management By-Law 2016-144 Repeal and Replace**, be received;

That the proposed By-Law to Repeal and Replace By-Law 2016-144, being the By-Law for Collection and Management of Waste and Recyclables within the City of Kawartha Lakes, as outlined in Appendix A to Report WM2024-009, be approved;

That the necessary By-Law be brought forward to Council for adoption; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Staff recommend to Repeal and Replace the Waste Management By-Law 2016-144, to address the regulatory changes to curbside collection (producer responsibility), to add the collection of food and other organic materials, and to update the By-Law as necessary and further outlined in the rationale section. As further background:

Producer Responsibility

As per the Ministry of the Environment Conservation and Parks (MECP) Food and Organic Waste Policy Statement, issued under section 11 of the Resource Recovery and Circular Economy Act, 2016, targets have been established for waste reduction and resource recovery as a means of addressing food and organic waste.

In response to the policy requirements, the City of Kawartha Lakes Council resolved on July 23, 2024, that curbside collection and transportation of source separated organics be collected in the urban areas of Lindsay, Bobcaygeon, Omemee and Fenelon Falls begin in January 2025.

As per the Blue Box Regulation implemented in 2021, the Ontario recycling program is transitioning to Extended Producer Responsibility (EPR). Producers are operationally and financially responsible for the waste generated from their products and packaging. The City of Kawartha Lakes transition began April 1, 2024 and Miller Waste was contracted by the producers to oversee the recycling collection services in Kawartha Lakes until January 31, 2025. As the contractor, they are responsible for sales of Blue Box and Green Box containers and addressing concerns from residents regarding recycling. Given that the City is no longer responsible for curbside recycling collection of eligible sources (generally residential stops) in Kawartha Lakes, staff recommend a Repeal and Replace of By-law 2016-144, to be consistent with Applicable Laws that apply to recycling.

Recycling of Organics

At the Council Meeting of June 20, 2023, Council adopted the following resolution:

CW2023-183

That Report WM2023-009, **Source Separated Organic Diversion Request for Information Submission and Options**, be received;

That curbside collection of source separated organics in urban areas be recommended as the preferred option for source separated organics diversion;

That the necessary amendment to By-Law 2016-144, being the By-Law for Collection and Management of Waste and Recyclables be brought forward to Council for consideration; and

That, dependent on the results of the curbside collection in urban areas, consideration be given to progressively expand the collection of source separated organics to rural areas.

Carried

At the Council Meeting of July 23, 2024, Council adopted the following resolution:

CR2024-223

That Request for Proposal 2024-050-OP Curbside Collection and Transportation of Source Separated Organics, be awarded to Miller Waste Systems Inc.;

That Option A curbside collection and transportation of source separated organics be collected in all four urban areas (Lindsay, Bobcaygeon, Omeme and Fenelon Falls) on Fridays;

That Council authorize the option to renew the contract, after the initial term (January 1, 2025 to September 23, 2027) for an additional two - one year terms, based on successful completion of the initial term and each subsequent renewals, annual budget approval, an annual Consumer Price Index (All Items Excluding Energy) increase of not more that three percent (3%) and mutual agreement; and

That subject to the receipt of the required documents that the Director of Public Works be authorized to execute the agreement.

Carried

This report addresses Council's direction and provides an opportunity to update the By-law with other needed amendments described in the Rationale section of this report.

Staff would like to update By-law 2016-144 to ensure consistency with current programs and applicable laws. These changes will ensure operations are more clear and efficient. All changes are visible through tracked changes in the amended By-law, attached as Appendix A of this report.

Rationale:

In summary, staff are recommending the following By-law changes:

- Edit wording to address the responsibility changes of the Blue Box Regulation to Producers and that the City is no longer responsible for curbside recycling collection of eligible sources.
- Adding wording to clarify Non-Eligible and Eligible source types.
- Adding wording to address curbside collection of food and organic materials in the urban areas of Lindsay, Bobcaygeon, Omemee and Fenelon Falls.
- Adding wording to address residents using aggressive or threatening behavior and coarse language towards collection staff.
- Adding wording to ensure safety precautions surrounding resident's proximity to collection vehicles and associated equipment.
- Updating wording throughout the By-law to ensure consistency with current programs and applicable laws.

Other Alternatives Considered:

Council could decide not to proceed with any/all of the amendments. Staff do not recommend this alternative because these amendments will provide guidelines for residents to comply with for the new food and organic waste program. As well, the amendments acknowledge changes in responsibility (Producer Responsibility) for the collection of recyclables, among other edits noted above.

Alignment to Strategic Priorities

This report follows the Strategic Priority of a Healthy Environment by following the Integrated Waste Management Strategy through diversion of waste from our landfills utilizing waste as a resource and implementing a Food and Organics Waste Program.

As well, this report follows the Strategic Priority of a Good Government, more specifically increasing the efficiency and effectiveness of service delivery.

Financial/Operation Impacts:

Any fiscal impacts from the proposed By-law amendment are identified in previous Council reports. All changes recommended are incorporated in the appropriate areas of

the proposed 2025 budget. Approval of this report does not have any direct financial implications.

Consultations:

Manager, Municipal Law Enforcement and Licensing

Insurance Risk Management Officer

City Solicitor

Attachments:

Appendix A – Draft By-Law 2016-144 Repeal and Replace



Appendix A Draft
By-Law 2016-144 Re

Department Head email: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson